

Exhibit 2

From: [Ann Rubin](#)
To: [Leiden, Diana Hughes](#)
Subject: RE: Sony/Cox - Subpoena to Harbor Labs
Date: Friday, March 8, 2019 11:06:07
Attachments: [image003.png@01D4D4DA.9521B400](#)
[image004.jpg@01D4D4DA.9521B400](#)
[image005.jpg@01D4D4DA.9521B400](#)
[image006.jpg@01D4D4DA.9521B400](#)
[image001.jpg@01D4D4DA.C69E9E30](#)
[image025.jpg@01D4D4DA.C69E9E30](#)
[image026.jpg@01D4D4DA.C69E9E30](#)
[image027.jpg@01D4D4DA.C69E9E30](#)
[image028.jpg@01D4D4DA.C69E9E30](#)
[image029.jpg@01D4D4DA.C69E9E30](#)
[image030.jpg@01D4D4DA.C69E9E30](#)
[image031.jpg@01D4D4DA.C69E9E30](#)
[image032.jpg@01D4D4DA.C69E9E30](#)
[image033.jpg@01D4D4DA.C69E9E30](#)
[1_4](#)
[1_5](#)
[1_6](#)
[1_7](#)

Yes, you are correct that those are the individuals who prepared the report.

Ann Rubin

General Counsel

P: +01 [410 701 0245](#)
E: ann@harborlabs.com
W: www.harborlabs.com



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From: Leiden, Diana Hughes dhleiden@winston.com
Reply: Leiden, Diana Hughes dhleiden@winston.com
Date: March 7, 2019 at 2:42:13 PM
To: Ann Rubin ann@harborlabs.com
Cc: Anderson, Sean R. sranderson@winston.com
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

Ann,

Thank you for your email. In light of your representation that no one currently at Harbor Labs was involved in the report, and that Harbor Labs has not located any documents other than the CCI-Harbor Labs agreement and the report, we will not move forward with the deposition.

The RIAA produced a copy of the report this week.

Can you confirm that the individuals who were involved with the report were Seth Nielson and Chris Monson?

Diana

Diana Hughes Leiden

Winston & Strawn LLP

D: +1 213-615-1924

winston.com



From: Ann Rubin <ann@harborlabs.com>
Sent: Wednesday, March 06, 2019 5:33 PM
To: Leiden, Diana Hughes <DHLLeiden@winston.com>
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

Diana,

Sorry for taking so long to get back to you. I needed to work on a matter with a deadline of this Friday.

With respect to Request 10 for all Communications with MarkMonitor, my response needs clarification. Harbor Labs does not have any materials, such as documents or electronically stored information, responsive to this Request.

With respect to Request 9 for all Documents and Communications concerning MarkMontior, Harbor Labs further responds that it does not have any materials, such as documents or electronically stored information responsive, to this Request.

Please advise if and when you receive a copy of Harbor Labs' report from another party.

Thank you,

Ann

Ann Rubin

General Counsel

P: +01 [410 701 0245](#)

E: ann@harborlabs.com

W: www.harborlabs.com



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From: Leiden, Diana Hughes <dhleiden@winston.com>

Reply: Leiden, Diana Hughes <dhleiden@winston.com>

Date: March 5, 2019 at 12:07:44 PM

To: Ann Rubin <ann@harborlabs.com>

Subject: RE: Sony/Cox - Subpoena to Harbor Labs

OK. And no other communications regarding MarkMonitor?

Diana Hughes Leiden

Winston & Strawn LLP

D: +1 213-615-1924

winston.com



From: Ann Rubin <ann@harborlabs.com>

Sent: Tuesday, March 05, 2019 8:02 AM

To: Leiden, Diana Hughes <DHLLeiden@winston.com>

Subject: RE: Sony/Cox - Subpoena to Harbor Labs

Diana,

As I indicated in our Response, in connection with your case, there is no agreement with Sony. Hence, there is no correspondence with Sony concerning an agreement. Nor was there correspondence with Sony in connection with the report.

With respect to correspondence with CCI, Harbor Labs has provided to you all of the documentation that it has in its possession.

I hope this answers your questions.

Ann

Ann Rubin

General Counsel

P: +01 [410 701 0245](tel:+014107010245)

E: ann@harborlabs.com

W: www.harborlabs.com



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From: Leiden, Diana Hughes <dhleiden@winston.com>
Reply: Leiden, Diana Hughes <dhleiden@winston.com>

Date: March 5, 2019 at 10:07:56 AM
To: Ann Rubin <ann@harborlabs.com>
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

That correspondence would be responsive to the subpoena.

Diana Hughes Leiden

Winston & Strawn LLP

D: +1 213-615-1924

winston.com



From: Ann Rubin <ann@harborlabs.com>
Sent: Tuesday, March 05, 2019 6:44 AM
To: Leiden, Diana Hughes <DHLLeiden@winston.com>
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

What is this about? Why are you asking?

Ann Rubin

General Counsel

P: +01 [410 701 0245](tel:+014107010245)

E: ann@harborlabs.com

W: www.harborlabs.com



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Thank You.

From: Leiden, Diana Hughes <dhleiden@winston.com>
Reply: Leiden, Diana Hughes <dhleiden@winston.com>
Date: March 5, 2019 at 12:32:27 AM
To: Ann Rubin <ann@harborlabs.com>
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

Thanks, Ann. Do you have any correspondence with the plaintiffs or CCI related to our subpoena?

Diana Hughes Leiden

Winston & Strawn LLP
D: +1 213-615-1924
winston.com



From: Ann Rubin <ann@harborlabs.com>
Sent: Monday, March 04, 2019 4:28 PM
To: Leiden, Diana Hughes
<DHLLeiden@winston.com>
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

Dr. Rubin confirmed both.

Ann Rubin
General Counsel

P: +01 [410 701 0245](tel:4107010245)
E: ann@harborlabs.com
W: www.harborlabs.com





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From: Leiden, Diana Hughes
dhleiden@winston.com
Reply: Leiden, Diana Hughes
dhleiden@winston.com
Date: March 4, 2019 at 7:03:17 PM
To: Ann Rubin ann@harborlabs.com
Subject: RE: Sony/Cox - Subpoena to Harbor Labs

Received, thank you.

Can you please confirm the following:

- 1) No one currently at Harbor Labs, including Dr. Rubin, was involved in the report that is the subject of this CCI-Harbor Labs agreement and Statement of Work.
- 2) Harbor Labs has conducted a reasonable search and has not located any additional documents responsive to the document subpoena, with the exception of the single version of the report that we previously discussed.

Diana

Diana Hughes Leiden

Winston & Strawn LLP

D: +1 213-615-1924

winston.com



From: Ann Rubin
ann@harborlabs.com
Sent: Monday, March 04, 2019 3:47
PM
To: Leiden, Diana Hughes
DHLLeiden@winston.com
Subject: RE: Sony/Cox - Subpoena
to Harbor Labs

I realized I sent with missing pages.
Here they are.

Ann Rubin
General Counsel

P: +01 [410 701 0245](tel:+014107010245)

E: ann@harborlabs.com

W: www.harborlabs.com



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From: Leiden, Diana Hughes
dhleiden@winston.com
Reply: Leiden, Diana Hughes
dhleiden@winston.com
Date: March 4, 2019 at 6:38:56 PM
To: Ann Rubin
ann@harborlabs.com
Subject: RE: Sony/Cox - Subpoena
to Harbor Labs

Thanks, Ann. This
looks like there may
be a page (or multiple
pages) missing
between the third and
fourth page. Can you
please check? Thank
you.

Diana Hughes
Leiden

Winston & Strawn LLP
D: +1 213-615-1924
winston.com



From: Ann Rubin
ann@harborlabs.com

Sent: Monday, March
04, 2019 2:28 PM
To: Leiden, Diana
Hughes
DHLeiden@winston.com

Subject: RE: Sony/Cox
- Subpoena to Harbor
Labs

Yes, apologies for not
sending. Here it is.

Ann Rubin
General Counsel

P: +01 [410 701 0245](tel:+014107010245)

E: ann@harborlabs.com

W: www.harborlabs.com



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From: Leiden, Diana
Hughes
[<dhleiden@winston.com>](mailto:dhleiden@winston.com)

Reply: Leiden, Diana
Hughes
[<dhleiden@winston.com>](mailto:dhleiden@winston.com)

Date: March 4, 2019 at
5:16:24 PM
To: Ann Rubin
[<ann@harborlabs.com>](mailto:ann@harborlabs.com)

Cc: Anderson, Sean R.
[<sranderson@winston.com>](mailto:sranderson@winston.com)

Subject: RE: Sony/Cox

- Subpoena to Harbor
Labs

Ann,
received.
When we
spoke
earlier
you said
that you
would be
producing
the CCI-
Harbor
Labs
agreement.
Is that
coming
under
separate
cover?

**Diana
Hughes
Leiden**

Winston &
Strawn LLP

D: +1 213-
615-1924

winston.com



From:

Ann
Rubin
ann@harborlabs.com

Sent:

Monday,
March
04, 2019

2:12 PM

To:

Leiden,
Diana
Hughes
<DHLiden@winston.com>

Cc:

Anderson,
Sean R.
<SRanderson@winston.com>

Subject:

RE:
Sony/Cox
-
Subpoena
to
Harbor
Labs

Diana,

Attached
please
find
Harbor
Labs'
Responses
and
Objections
to your
Subpoena
to
Produce
Documents.
Pursuant
to our
conversation
of even
date, you
agreed
not to
move
forward
with the
Subpoena
to Testify
at a

Deposition
and
Produce
Documents
scheduled
for March
15, 2019
until
further
notice.
You
further
agreed
that if you
decided
to move
forward
with the
Deposition,
it would
be at a
mutually
agreed
upon date
and time
at Harbor
Labs'
office in
Pikesville,
Maryland.

Thanks,

Ann

**Ann
Rubin**
*General
Counsel*

P: +01 410
701 0245

E:
ann@harborlabs.com

W: www.harborlabs.com



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indirectly from
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contents. Save

resources: think
before you
print. Thank
You.

From: Ann
Rubin
ann@harborlabs.com

Reply: Ann
Rubin
ann@harborlabs.com

Date: March
1, 2019 at
4:38:16
PM
To: Leiden,
Diana
Hughes
dhleiden@winston.com

Cc: Anderson,
Sean R.
sranderson@winston.com

Subject:
RE:
Sony/Cox
-
Subpoena
to Harbor
Labs

Diana,

I
was
about
to
send
Harbor
Labs'
Response
to
Defendant's
Subpoena
to
produce
documents,
when
Harbor
Labs
was

served
with
a
Notice
to
Take
Deposition.
Please
call
me
at
your
earliest
convenience
to
discuss.

Regards,

Ann

**Ann
Rubin**

*General
Counsel*

P:
+01 410
701
0245

E:
ann@harborlabs.com

W: www.harborlabs.com



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you
are
not
the
intended
recipient
(or
otherwise
authorized
to
receive
this
message
by
the
intended
recipient),
any
review,
disclosure,
copying,
distribution,
or
other
use
of,
or
taking
of
action
in
reliance
upon,
the
contents
of
the
information
is
prohibited.
If
you
have

received
this
electronic
message
transmission
in
error,
please
contact
the
sender
by
reply
email
and
delete
all
copies
of
this
message.
Harbor
Labs
accepts
no
responsibility
for
any
loss
or
damage
resulting
directly
or
indirectly
from
the
use
of
this
email
or
its
contents.
Save
resources:
think
before
you
print.
Thank
You.

From: Leiden,
Diana
Hughes
dhleiden@winston.com

Reply: Leiden,
Diana
Hughes
dhleiden@winston.com

Date: February
26,
2019
at
10:07:21
AM

To: Ann
Rubin
ann@harborlabs.com

Cc: Anderson,
Sean
R.
sranderson@winston.com

Subject:
RE:
Sony/Cox
-
Subpoena
to
Harbor
Labs

Ann,

Thanks
for
your
email.
As
I
mentioned
when
we
spoke,
we
subpoenaed
MarkMonitor
and
they
have
not
produced
anything,
nor
have
they
confirmed
that
they
have
a
a

copy
of
the
Harbor
Labs
report.
We
moved
to
compel
their
compliance
last
week,
but
our
hearing
is
not
until
later
in
March.
We
are
also
subpoenaing
Ms.
Lesser,
but
we
are
unclear
on
whether
she
is
even
in
possession
of
the
CCI
documents.
Given
that

and
our
aggressive
schedule,
we
must
move
forward
on
Harbor
Labs
as
well,
including
moving
to
compel
if
necessary.

The
March
1
extension
is
reasonable
in
light
of
these
circumstances,
particularly
given
that
it
sounds
like
you
will
be
objecting
to
the
subpoena
rather

than
providing
documents,
but
correct
me
if
I'm
wrong.

With
respect
to
the
draft
Harbor
Labs
report,
that
is
directly
responsive
to
the
subpoena
and
very
relevant.
We
cannot
rely
on
Dr.
Rubin's
judgment
about
what
is
helpful.
That
should
be
produced.
I'm

attaching
a
copy
of
our
Protective
Order
entered
in
the
case,
which
permits
third
parties
to
designate
documents
as
Confidential.

Diana

**Diana
Hughes
Leiden**

Winston &
Strawn LLP

D: +1 213-
615-1924

winston.com



From:

Ann
Rubin
ann@harborlabs.com

Sent:

Tuesday,
February

26,
2019
6:54
AM

To:

Leiden,
Diana
Hughes
DHLLeiden@winston.com

Cc:

Anderson,
Sean
R.
SRanderson@winston.com

Subject:

RE:
Sony/Cox
-
Subpoena
to
Harbor
Labs

Diana,

I
understand
your
situation.
Without
getting
into
the
issue
of
proper
service
of
the
subpoena,
there
are
two
things
I

want
to
point
out
from
our
end.
First,
Avi
checked
into
whether
he
had
the
report
and
he
found
only
one
draft
in
an
old
email.
He
is
not
sure
how
final
it
is,
and
he
thinks
that
it
is
not
something
you
will
find
useful
at
all
based
on
his
understanding
of
what
you
are
looking

for.
Second,
due
to
our
contractual
obligations,
my
response
to
the
subpoena
will
be
that
we
cannot
share
this
report
with
you
without
a
release
of
our
obligations
under
our
agreements
or
an
order
from
a
judge.
You
did
not
indicate
whether
you
made
any
attempt
to
contact
MarkMonitor
and
the
outcome
of
any
attempt.

Finally,
Avi
is
about
to
leave
town
for
two
weeks
and
will
be
traveling
around
California
and
Dallas
on
business.
He
is
going
to
be
very
hard
to
reach
during
that
time.
He
is
testifying
in
two
hearings
and
having
two
depositions
during
that
time
with
lots
of
prep,
and
even
I
can't
reach
him
when
he

is
in
depo
or
depo
prep,
so
I
don't
think
he's
going
to
be
able
to
respond
very
quickly.
An
extension
via
email
from
you
yesterday
to
March
1st
is
unreasonable
especially
given
Avi's
work
schedule
and
the
fact
that
you
have
not
to
my
knowledge
made
any
attempt
to
reach
MarkMonitor
pursuant
to
our
agreement
regarding

an
extension
of
time.

Ann

**Ann
Rubin**

*General
Counsel*

P:
+01 410
701
0245

E:
ann@harborlabs.com

W: www.harborlabs.com



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for
any
loss
or
damage
resulting
directly
or
indirectly
from
the
use
of
this
email
or
its
contents.
Save
resources:
think
before
you
print.
Thank
You.

From: Leiden,
Diana
Hughes
dhleiden@winston.com

Reply: Leiden,
Diana
Hughes
dhleiden@winston.com

Date: February
25,
2019
at
8:04:04
PM

To: Ann
Rubin
ann@harborlabs.com

Cc: Anderson,
Sean
R.
sranderson@winston.com

Subject:
RE:
Sony/Cox

-

Subpoena
to
Harbor
Labs

Ann,

On
the
service
issue
you
flagged,
I
looked
into
this
and
our
process
server
called
Harbor
Labs'
offices,
and
the
person
who
answered
the
phone
directed
the
server
to
come
to
the
office
and
serve
the
subpoena

there.
When
the
process
server
arrived,
someone
from
Harbor
Labs'
offices
came
to
reception
and
accepted
service.
This
makes
service
effective
under
FRCP
5(b)
(2)
and
therefore
there
is
no
reason
to
re-
serve
the
subpoena.
Since
the
time
to
respond
to
the
subpoena
has
passed,

and
given
that
we
discussed
an
extension
of
time
to
respond
while
we
attempted
to
get
ahold
of
Ms.
Lesser,
we
will
extend
the
time
to
respond
until
this
Friday,
March
1.

Diana

**Diana
Hughes
Leiden**

Winston &
Strawn LLP

D: +1 213-
615-1924

winston.com



From:

Leiden,
Diana
Hughes

Sent:

Monday,
February
25,
2019
11:20
AM

To:

'Ann
Rubin'
[<ann@harborlabs.com>](mailto:ann@harborlabs.com)

Cc:

Anderson,
Sean
R.
[<SRanderson@winston.com>](mailto:SRanderson@winston.com)

Subject:

RE:
Sony/Cox
-
Subpoena
to
Harbor
Labs

Ann,

As
an
update,
I

wanted
to
let
you
know
that
we
have
attempted
to
get
in
contact
with
Jill
Lesser
(formerly
at
CCI)
but
have
not
been
able
to
get
ahold
of
her.
Given
our
expedited
schedule
in
the
Sony
case
and
our
critical
need
for
documents
such
as
the

CCI-
Harbor
Labs
documents,
we
will
have
to
move
forward
with
the
subpoena
to
Harbor
Labs.
Please
advise
if
you
will
accept
service
of
the
attached
subpoena.
Otherwise,
we
will
re-
serve
formally.

I
am
available
to
discuss
tomorrow
at
your
convenience;
I
am

in
a
mediation
today.

Regards,

Diana

**Diana
Hughes
Leiden**

Winston &
Strawn LLP

D: +1 213-
615-1924

winston.com



From:

Ann
Rubin
<ann@harborlabs.com>

Sent:

Wednesday,
February
13,
2019
5:14
PM

To:

Leiden,
Diana
Hughes
<DHLeiden@winston.com>

Subject:

Re:
Sony/Cox

-
Subpoena
to
Harbor
Labs

Hi
Diana,

Sounds
good.
Also,
pursuant
to
our
conversation,
you
agreed
to
either
withdraw
the
Subpoena
or
extend
the
time
for
Harbor
Labs
to
respond
while
you
reach
out
to
MarkMonitor
and
Jill
Lesser.

Regards,
Ann

**Ann
Rubin**

*General
Counsel*

P:
+01 410
701
0245

E:
ann@harborlabs.com

W: www.harborlabs.com



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use
of
this
email
or
its
contents.
Save
resources:
think
before
you
print.
Thank
You.

From: Leiden,
Diana
Hughes
dhleiden@winston.com

Reply: Leiden,
Diana
Hughes
dhleiden@winston.com

Date: February
13,
2019
at
8:08:25
PM

To: ann@harborlabs.com
ann@harborlabs.com

Subject:
Sony/Cox
-
Subpoena
to
Harbor
Labs

Ann,

Thanks
again
for
speaking
tonight
-
that
was
very
helpful.
I'm

attaching
the
protective
order
entered
in
the
case.
I'm
also
attaching
the
Harbor
Labs
summary
that
we
located
online.
I'll
let
you
know
ASAP
if
I'm
able
to
make
any
progress
with
MarkMonitor
and
Jill
Lesser.

Best,

Diana

Diana Hughes Leiden

Partner

Winston & Strawn LLP
333 S. Grand Avenue
Los Angeles, CA 90071-1543

D: +1 213-615-1924

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has
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received
in
error,
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it
without
reading
it.
Your
receipt
of
this
message
is
not
intended
to
waive
any
applicable
privilege.
Please
do
not
disseminate
this
message
without
the
permission
of
the
author.
Any
tax
advice
contained
in
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email
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not
intended
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be
used,
and
cannot
be
used,
by
you
(or
any
other
taxpayer)
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penalties
under
applicable
tax
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